

Message Text

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ACTION EB-07

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E.O. 11652: N/A
TAGS: EAIR, PE
SUBJECT: CIVAIR - PRESENTATION OF BRANIFF SCHEDULE CHANGE

REF: STATE 193021, STATE 201996

1. LOCAL BRANIFF LAWYER, RAUL DE SOLAR, SUBMITTED BRANIFF'S PROPOSED SCHEDULE CHANGES TO PERUVIAN GENERAL DIRECTORATE FOR AIR TRANSPORT (DGTA) ON AUGUST 13.

2. AS INSTRUCTED STATE 193021, ACTING CHIEF ECON SECTION ON AUGUST 18 MADE CALLS ON FOREIGN OFFICE CIVAIR OFFICIAL DR. LUIS SOLARI, AND DIRECTOR GENERAL OF AIR TRANSPORT, COL. OLIVERA, TO SUPPORT BRANIFF REQUEST. AT THE SAME TIME EMBOFF WAS ABLE TO PASS ON TO BOTH SOLARI AND OLIVERA CONTENTS OF STATE 201996 REGARDING APPROVAL OF AEROPERU'S MEXICO CITY/ LOS ANGELES BLIND SECTOR. BOTH OFFICIALS CLAIMED NOT TO HAVE SEEN BRANIFF PROPOSAL AND EXPRESSED APPRECIATION OF COPIES THAT EMBOFF PROVIDED.

3. SINCE NEITHER OFFICIAL HAD SEEN BRANIFF'S SUBMISSION PRIOR TO MEETING WITH EMBOFF, THEY WERE NOT IN A POSITION TO MAKE MORE THAN GENERAL RESPONSE. BOTH WERE INITIALLY NEGATIVE EVEN WITHOUT STUDYING PROPOSAL. SOLARI SAID THAT IN HIS VIEW (AND HE IMPLIED GOP'S VIEW AS WELL),
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CAB WANTED TO MAKE BLIND-SECTORS SUBJECT TO NEGOTIATION,

AND INF THAT WAS HOW CAB WANTED TO DO THINGS, THEN GOP
WOULD BE WILLING TO NEGOTIATE QUESTION OF BRANIFF'S
REQUEST FOR MIAMI-LIMA BLIND SECTOR.

4. OLIVERA AT FIRST SAID THAT DGTA WOULD ONLY APPROVE
BRANIFF'S REQUEST AFTER AEROPERU RECEIVED PERMANENT
MEXICO CITY/LOS ANGELES BLIND SECTOR WHILE STILL RETAINING
NEW YORK PERMIT. WHEN EMBOFF SAID THAT BRANIFF BELIEVED
ITS PROPOSALS WERE IN ACCORDANCE WITH BILATERAL AIR
TRANSPORT AGREEMENT, OLIVERA BACKED OFF AND SAID DGTA
WOULD GIVE REQUEST PRIORITY ATTENTION AND, IF PROPOSALS
FIT PROVISIONS OF AGREEMENT, WOULD PROBABLY GRANT THE
REQUEST. OLIVERA ALSO STATED THAT HE CONSIDERED BLIND
SECTOR MIAMI/LIMA FLIGHT TO BE EQUIVALENT TO
FLIGHT WITH TRAFFIC RIGHTS.

5. BOTH OLIVERA AND SOLARI EXPRESSED UNHAPPINESS WITH
DECISION ON LIMITATION ATTACHED TO MEXICO CITY/LA
BLIND SECTOR PERMIT. OLIVERA SAID THAT AS SOON AS HE
RECEIVES OFFICIAL NOTIFICATION, HE PLANS TO SEND NOTE
TO EMBASSY DISPUTING USG INTERPRETATION OF 1975
CIVAIR AGREEMENT.

6. COMMENT: IN VIEW OF OBVIOUS UNHAPPINESS OF TWO
GOP OFFICIALS WITH CURRENT STATE OF AFFAIRS, AS WELL
AS OLIVERA'S DEFINITION OF COMPATIBILITY WITH PROVISIONS
OF CIVAIR AGREEMENTS, IT SEEMS UNLIKELY THAT GOP WILL
APPROVE BRANIFF'S REQUEST WITHOUT ATTEMPTING TO EXACT
QUID PRO QUO IN FORM OF PERMANENT PERMIT FOR MEXICO CITY/
LA BLIND SECTOR. SMITH

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